

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

OCEAN SPRAY CRANBERRIES, INC.,

Plaintiff,

v.

WEDGE WATER, LLC D/B/A WAVE SODA,

Defendant.

C.A. No. 1:21-cv-10669-MLW

**DEFENDANT’S SPECIAL APPEARANCE AND
MOTION TO TRANSFER PURSUANT TO 28 U.S.C. § 1404(a)**

Defendant Wedge Water LLC d/b/a Wave Soda (“Wave Soda”), reserving its right to challenge this Court’s jurisdiction over it, hereby specially appears before this Court for the limited purpose of moving to transfer this case to the Southern District of California pursuant to 28 U.S.C. § 1404(a). In support of its Motion, Wave Soda contemporaneously files its Memorandum in Support of this Motion.

WHEREFORE, Wave Soda respectfully requests that the Court grant this Motion, transfer this case to the Southern District of California, and issue all other relief to which Wave Soda may be justly entitled.

Dated: May 3, 2021

Respectfully Submitted,

**WEDGE WATER, LLC
D/B/A WAVE SODA,**

By its attorneys,

/s/ Alexander T. Hornat

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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that counsel for Wave conferred and attempted in good faith to resolve or narrow the issue presented in this motion but was unable to reach agreement on the disputed issues.

/s/ Alexander T. Hornat

Alexander T. Hornat

CERTIFICATE OF SERVICE

I hereby certify that, on this 3rd day of May 2021, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Alexander T. Hornat

Alexander T. Hornat